

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-7 are pending in the application. Claims 1, 4, 6 and 7 are amended by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.<sup>1</sup> No new matter is added.

In the outstanding Official Action, Claims 1-7 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite; and Claims 1-7 were rejected under 35 U.S.C. § 102(a) as anticipated by Stetz, "Cell Phone Handbook."

In response to the rejection of Claims 1-7 under 35 U.S.C. § 112, second paragraph, Claims 1, 6 and 7 are amended to recite "for receiving said quiz question identified by said quiz question identification information," as noted in the outstanding Official Action. Accordingly, Applicant respectfully requests that the rejection of Claims 1-7 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1-7 were rejected under 35 U.S.C. § 102(a) as anticipated by Stetz. Applicant respectfully submits that amended independent Claims 1, 6 and 7 state novel features clearly not taught or rendered obvious by the applied reference.

Amended Claim 1 relates to an information processing apparatus comprising an input configured to receive, from a radio broadcast station, question identification information identifying *an audio quiz question* presented by the radio broadcast station and first identification information identifying said radio broadcast station. The input also receives, from a radio signal receiver, second identification information identifying the radio signal receiver. The information processing apparatus then forms a judgment on validity of the question identification information, the radio broadcast station identification information and

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<sup>1</sup> e.g., specification, Fig. 25 and pp. 88-89.

the radio signal receiver identification information. Customer identification information identifying a customer is then assigned to the radio signal receiver identification information, and the customer identification information is output as information for receiving *the audio quiz question* identified by the question identification information.

As previously noted, amended Claim 1 relates to a device for generating customer identification information for a user, allowing the user to anonymously respond to an audio quiz question (e.g., a contest or trivia question) presented by a radio broadcast station. The audio quiz question is sent by a merchant over a radio broadcast, and responding to such an offer/question typically involves a customer submitting personal information (e.g. personal profile) to a server or another device to answer a question presented (e.g., for age verification purposes, etc.). The present inventor, therefore, identified a benefit in automating the transmission of profile information while maintaining anonymity to the responding customer.

Turning to the applied reference Stetz provides a high-level functional description of a cellular telephone and corresponding network. In addressing the “question” feature recited in previously presented Claims 1, 6 and 7, the outstanding Official Action cites p. 30 of Stetz and asserts that the phone number transmitted from the mobile device to the base station is equivalent to a “question.” In providing support for this assertion the Official Action cites a dictionary definition in defining a question as “an expression of inquiry that invites or calls for a reply.”

As noted above, however, in amended independent Claims 1, 6 and 7, the “question” presented by the radio broadcast station in the present invention is an *audio quiz question*, which is meant to test the knowledge of a listener of the radio broadcast. As discussed, for example, at pp. 88-89 of the specification, the broadcasting apparatus outputs an *audio signal of a question*, and the listeners have a predetermined period by which to respond.

The phone number transmitted in Stetz, however, is an audio signal, and does not represent a quiz question. Instead the phone number of Stetz is a data signal intended to facilitate registration of the mobile device with an intended base station. Further, a ***quiz question***, as defined in the present specification, is a question presented in a radio broadcast, which is intended to be answered by a listener of the radio broadcast. The phone number transmitted by Stetz, my elicit a response from the base station, but does not “quiz” the base station, as recited in the pending independent claims.

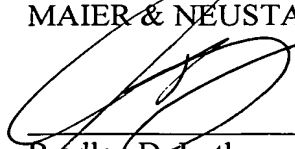
Accordingly, Stetz fails to teach or suggest an input configured to receive question identification information identifying ***an audio quiz question presented by the radio broadcast station***, as recited in amended independent Claims 1, 6 and 7.

Accordingly, Applicant respectfully requests that the rejection of independent Claims 1, 6 and 7 under 35 U.S.C. § 102(a) be withdrawn.

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-7 is definite and patentably distinguishing over the applied reference. The present application is therefore believed to be in condition for formal a allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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